

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

PART 885  
HERPTILE CODE

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SOURCE: Adopted at 41 Ill. Reg. 96, effective December 22, 2016.

**Section 885.10 Definitions**

"Act" means the Herptile-Herps Act [510 ILCS 68].

*"Administrative rule" means a regulatory measure adopted, pursuant to the Illinois Administrative Procedure Act [5 ILCS 100], by the Director under the Act.*

*"Authorized Law Enforcement Officer" means all sworn members of the Law Enforcement Division of the Department and those persons specifically granted law enforcement authorization by the Director.*

*"Bonafide Scientific or Educational Institution" means confirming educational or scientific tax-exemption from the federal Internal Revenue Service or the applicant's national, state or local tax authority, or a statement of accreditation or recognition as an educational institution.*

"Code" means the Fish and Aquatic Life Code [515 ILCS 5].

"Commercialize" means to sell, offer for sale, barter, trade or otherwise assign a commercial value to a herptile protected under this Part.

*"Contraband" means all reptile or amphibian life taken, bought, sold or bartered, shipped, or held in possession or held in any conveyance, vehicle, watercraft or other means of transportation whatsoever, except sealed railroad cars or other sealed common carriers, used to transport or ship any reptile or amphibian life or any part of reptile or amphibian life taken, contrary to the Act or this Part, or used to transport, contrary to the Act or this Part, any of the specified species when taken illegally.*

*"Culling" means picking out from others and removing rejected members because of inferior quality.*

*"Department" means the Illinois Department of Natural Resources.*

*"Director" means the Director of the Illinois Department of Natural Resources.*

*"Educational Program" means a program of organized instruction or study for providing education intended to meet a public need.*

*"Endangered or Threatened Species" means any species listed as endangered or threatened to the species level on either the Illinois List of Endangered and*

*Threatened Fauna or the federal U.S. Fish and Wildlife Service List of Threatened or Endangered Species.*

"Herptile Special Use Permit" means the permit issued by the Department under Section 10-15 of the Act and Sections 885.120, 885.140 and 885.150 of this Part that authorizes use of special use herptiles for programs of a bonafide educational purpose.

"HSCP" means the Herptile Scientific Collection Permit described in Section 885.50.

*"Herptile" means collectively any amphibian or reptile taxon, whether indigenous to this State or not.*

*"Indigenous" or "Native Taxa" means those amphibians and reptiles to the subspecies level (where applicable) that can be found naturally in this State.*

*"Individual" means a natural person.*

"Limited Entry Special Use Herptile Permit" or "Limited Entry Permit" means a Herpetoculture Permit or Special Use Herptile Permit issued to a nonresident of Illinois allowing that person to bring specified herptiles into Illinois for a limited period not to exceed 30 days.

*"Medically Significant" means a venomous or poisonous species whose venom or toxin can cause death or serious illness or injury in humans that may require emergency room care or the immediate care of a physician. These species are categorized as being "medically significant" or "medically important".*

"Non-listed" means a species that is not endangered or threatened.

*"Owner" means an individual who has a legal right to the possession of a herptile.*

*"Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture or group.*

*"Possession Limit" means the maximum number or amount of herptiles either alive or dead that can be lawfully held or possessed by one person at any time.*

*"Possessor" means any person who possesses, keeps, harbors, brings into the State, cares for, acts as custodian for, has in his or her custody or control or holds a property right to a herptile.*

"Ranavirus" means any group of viruses in the family Iridoviridae that are highly infectious and often lethal to aquatic and terrestrial cold-blooded wildlife. Ranaviruses can cause mass die-offs, especially in aquatic populations. These viruses are found nearly worldwide and can infect any species of fish, amphibian or reptile.

*"Reptile Show" means any event open to the public, for a fee or without a fee, that is not a licensed pet store, where herptiles or herptiles together with other animals are exhibited, displayed, sold, bought, traded or otherwise made available for public display.*

*"Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits under the Act. A person's permanent abode is his or her fixed and permanent dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a driver's license. Any person qualifying as a resident under this definition who is on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.*

*"Special Use Herptile" means any taxon of amphibian or reptile (including, but not limited to crocodilians, Komodo dragons, crocodile monitor lizards, or venomous species) for which a Special Use Herptile Permit is required to acquire and possess.*

*"Take" means possess, collect, catch, detain, hunt, shoot, pursue, lure, kill, destroy, capture, gig or spear, trap or ensnare or harass, or an attempt to do so.*

"Taxidermy Services" means the act of preparing, preserving, stuffing and/or mounting the skins of animals with lifelike effect (e.g., mounting, cleaning, tanning).

"Taxon" or the plural "Taxa" means a taxonomic category such as a genus, species or subspecies.

*"Transport" or "Ship" means to convey by parcel post, express, freight, baggage or shipment by common carrier of any description; by automobile, motorcycle or other vehicle of any kind; by water or aircraft of any kind; or by any other means of transportation.*

*"Turtle Farming" means the act of breeding, hatching, raising or selling turtles, or any combination, commercially for the purpose of providing turtles, turtle eggs or turtle parts to pet suppliers, exporters and food industries.*

*"Voucher Herptile" means an actual herptile specimen deposited into a museum or scientific institution collection as proof of its existence in the locality at which it was collected.*

*"Wildlife Sanctuary" means any non-profit organization that:*

*is exempt from taxation and currently confirmed as exempt under the federal Internal Revenue Code;*

*operates a place of refuge where wild animals are provided care for their lifetime or released back to their natural range;*

*does not conduct activities on animals in its possession that are not inherent to the animal's nature;*

*does not use animals in its possession for entertainment;*

*does not sell, trade or barter animals in its possession or parts of those animals; and*

*does not breed animals in its possession. [510 ILCS 68/1-15]*

### **Section 885.15 Purpose**

This Part is established to govern the taking, acquisition, possession, transport, disposition and commercial use of herptiles defined and specified in the Act, the issuance of those permits, and reporting requirements.

### **Section 885.20 Seasons, Limits and Methods of Take for Bullfrogs, Snapping Turtles and Other Native Herptiles**

- a) A sport fishing license is required for residents, unless exempt from a sport fishing license under Section 20-5 of the Code to legally collect or take any native herptile taxon on private land, with the landowner's permission.

- b) Bullfrogs and common snapping turtles may be taken only June 15 through October 15. There is no closed season on all other non-listed native herptiles.
- c) The daily catch limit for bullfrogs is 8, with a possession limit of 16. The daily catch limit for common snapping turtles is 2, with a possession limit of 4.
- d) For non-listed native herptile taxa (excluding bullfrogs), the possession limit is 8 collectively, with no more than 4 per species.
- e) Unless otherwise authorized, turtles other than common snapping turtles may be taken only by hand. Common snapping turtles may be taken only by hand, hook and line or bow and arrow. Common snapping turtles may not be taken by bow and arrow in the following counties: Randolph, Perry, Franklin, Hamilton, White, Gallatin, Saline, Williamson, Jackson, Union, Johnson, Pope, Hardin, Massac, Pulaski and Alexander.
- f) Nonresidents
  - 1) Nonresidents may not possess or collect herptiles collected from the wild within this State, except:
    - A) for scientific purposes with a Herptile Scientific Collection permit;  
or
    - B) for personal consumption with a nonresident sport fishing license.
  - 2) Nonresidents not conducting scientific research may photograph and briefly manipulate nonvenomous herptiles not listed as endangered or threatened in the wild, provided the herptiles are not harmed or removed from the site where encountered.

#### **Section 885.30 Counties Documented with Ranavirus**

- a) The following Illinois counties have been documented with Ranavirus: Clark, Jackson, Madison, Monroe and Vermilion.
- b) This Section may be amended to add additional counties as ongoing research documents new outbreaks of the virus in Illinois.

**Section 885.40 Indigenous or Native Herptile Taxa List**

The following list comprises Illinois' indigenous or native herptile taxa to the subspecies level, if applicable. A current list of State endangered/threatened species may be found in 17 Ill. Adm. Code 1010. A single asterisk (\*) denotes a venomous and special use species.

Salamanders

Jefferson Salamander	<i>Ambystoma jeffersonianum</i>
Blue-spotted Salamander	<i>Ambystoma laterale</i>
Spotted Salamander	<i>Ambystoma maculatum</i>
Marbled Salamander	<i>Ambystoma opacum</i>
Silvery Salamander	<i>Ambystoma platineum</i>
Mole Salamander	<i>Ambystoma talpoideum</i>
Small-mouthed Salamander	<i>Ambystoma texanum</i>
Eastern Tiger Salamander	<i>Ambystoma tigrinum</i>
Eastern Hellbender	<i>Cryptobranchus alleganiensis</i>
Spotted Dusky Salamander	<i>Desmognathus conanti</i>
Northern Dusky Salamander	<i>Desmognathus fuscus</i>
Southern Two-lined Salamander	<i>Eurycea cirrigera</i>
Eastern Long-tailed Salamander	<i>Eurycea longicauda longicauda</i>
Dark-sided Salamander	<i>Eurycea longicauda melanopleura</i>
Cave Salamander	<i>Eurycea lucifuga</i>
Four-toed Salamander	<i>Hemidactylium scutatum</i>
Common Mudpuppy	<i>Necturus maculosus</i>
Central Newt	<i>Notophthalmus viridescens louisianensis</i>
Eastern Red-backed Salamander	<i>Plethodon cinereus</i>
Northern Zigzag Salamander	<i>Plethodon dorsalis</i>
Northern Slimy Salamander	<i>Plethodon glutinosus</i>
Western Lesser Siren	<i>Siren intermedia nettingi</i>

Frogs and Toads

Blanchard's Cricket Frog	<i>Acris blanchardi</i>
American Toad	<i>Anaxyrus americanus americanus</i>
Dwarf American Toad	<i>Anaxyrus americanus charlesmithi</i>
Fowler's Toad	<i>Anaxyrus fowleri</i>
Eastern Narrow-mouthed Toad	<i>Gastrophryne carolinensis</i>
Western Bird-voiced Treefrog	<i>Hyla avivoca</i>
Cope's Gray Treefrog	<i>Hyla chrysoscelis</i>
Green Treefrog	<i>Hyla cinerea</i>
Eastern Gray Treefrog	<i>Hyla versicolor</i>
Northern Crawfish Frog	<i>Lithobates areolatus circulosus</i>

Plains Leopard Frog	<i>Lithobates blairi</i>
American Bullfrog	<i>Lithobates catesbeianus</i>
Green Frog	<i>Lithobates clamitans</i>
Pickerel Frog	<i>Lithobates palustris</i>
Northern Leopard Frog	<i>Lithobates pipiens</i>
Southern Leopard Frog	<i>Lithobates sphenoccephalus</i>
Wood Frog	<i>Lithobates sylvaticus</i>
Spring Peeper	<i>Pseudacris crucifer</i>
Upland Chorus Frog	<i>Pseudacris feriarum</i>
Illinois Chorus Frog	<i>Pseudacris illinoensis</i>
Boreal Chorus Frog	<i>Pseudacris maculata</i>
Western/Midland Chorus Frog	<i>Pseudacris triseriata</i>
Eastern Spadefoot Toad	<i>Scaphiopus holbrookii</i>

#### Turtles

Midland Smooth Softshell Turtle	<i>Apalone mutica</i>
Spiny Softshell Turtle	<i>Apalone spinifera</i>
Common/Eastern Snapping Turtle	<i>Chelydra serpentina</i>
Western Painted Turtle	<i>Chrysemys picta bellii</i>
Southern Painted Turtle	<i>Chrysemys picta dorsalis</i>
Midland Painted Turtle	<i>Chrysemys picta marginata</i>
Spotted Turtle	<i>Clemmys guttata</i>
Blanding's Turtle	<i>Emydoidea blandingii</i>
Northern Map Turtle	<i>Graptemys geographica</i>
Northern False Map Turtle	<i>Graptemys pseudogeographica</i>
	<i>pseudogeographica</i>
Mississippi Map Turtle	<i>Graptemys pseudogeographica kohnii</i>
Ouachita Map Turtle	<i>Graptemys ouachitensis ouachitensis</i>
Yellow Mud Turtle	<i>Kinosternon flavescens</i>
Eastern Mud Turtle	<i>Kinosternon subrubrum</i>
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>
River Cooter	<i>Pseudemys concinna</i>
Common/Eastern Musk Turtle	<i>Sternotherus odoratus</i>
Eastern Box Turtle	<i>Terrapene carolina carolina</i>
Ornate Box Turtle	<i>Terrapene ornata</i>
Red-eared Slider	<i>Trachemys scripta elegans</i>

#### Lizards

Eastern Six-lined Racerunner	<i>Aspidoscelis sexlineata sexlineata</i>
Western Slender Glass Lizard	<i>Ophisaurus attenuatus attenuatus</i>
Common Five-lined Skink	<i>Plestiodon fasciatus</i>



Broad-headed Skink  
 Eastern Fence Lizard  
 Ground/Little Brown Skink

*Plestiodon laticeps*  
*Sceloporus undulatus*  
*Scincella lateralis*

### Snakes

Midwestern Worm Snake  
 Western Worm Snake  
 Northern Scarlet Snake  
 Kirtland's Snake  
 Blue Racer  
 Southern Black Racer  
 Prairie Ring-necked Snake  
 Northern Ring-necked Snake  
 Mississippi Ring-necked Snake  
 Western Mud Snake  
 Western Hog-nosed Snake  
 Eastern Hog-nosed Snake  
 Prairie King Snake  
 Speckled King Snake  
 Eastern Black King Snake  
 Red Milk Snake  
 Eastern Milk Snake  
 Eastern Coachwhip  
 Mississippi Green Watersnake  
 Plain-bellied Watersnake  
 Southern/Broad-banded Watersnake  
 Diamond-backed Watersnake  
 Midland Watersnake  
 Northern Watersnake  
 Rough Green Snake  
 Smooth Green Snake  
 Great Plains Rat Snake  
 Black Rat Snake  
 Gray Rat Snake  
 Western/Eastern Fox Snake  
 Bull Snake  
 Graham's Crayfish Snake  
 Queen Snake  
 Midland Brown Snake  
 Northern Red-bellied Snake  
 Flat-headed Snake  
 Western Ribbon Snake

*Carphophis amoenus helenae*  
*Carphophis vermis*  
*Cemophora coccinea copei*  
*Clonophis kirtlandii*  
*Coluber constrictor foxii*  
*Coluber constrictor priapus*  
*Diadophis punctatus arnyi*  
*Diadophis punctatus edwardsii*  
*Diadophis punctatus stictogenys*  
*Farancia abacura reinwardtii*  
*Heterodon nasicus*  
*Heterodon platirrhinos*  
*Lampropeltis calligaster calligaster*  
*Lampropeltis getula holbrookii*  
*Lampropeltis getula nigra*  
*Lampropeltis triangulum sypila*  
*Lampropeltis triangulum triangulum*  
*Masticophis flagellum*  
*Nerodia cyclopion*  
*Nerodia erythrogaster*  
*Nerodia fasciata*  
*Nerodia rhombifer rhombifer*  
*Nerodia sipedon pleuralis*  
*Nerodia sipedon sipedon*  
*Opheodrys aestivus*  
*Opheodrys vernalis*  
*Pantherophis emoryi*  
*Pantherophis obsoletus (spiloides) obsoletus*  
*Pantherophis obsoletus (spiloides) spiloides*  
*Pantherophis ramspotti/vulpinus*  
*Pituophis catenifer sayi*  
*Regina grahamii*  
*Regina septemvittata*  
*Storeria dekayi wrightorum*  
*Storeria occipitomaculata occipitomaculata*  
*Tantilla gracilis*  
*Thamnophis proximus proximus*

Plains Garter Snake	Thamnophis radix
Eastern Ribbon Snake	Thamnophis sauritus
Chicago Garter Snake	Thamnophis sirtalis semifasciatus
Eastern Garter Snake	Thamnophis sirtalis sirtalis
Lined Snake	Tropidoclonion lineatum
Western Smooth Earth Snake	Virginia valeriae elegans
Southern Copperhead	Agkistrodon contortrix contortrix *
Northern Copperhead	Agkistrodon contortrix mokasen *
Western Cottonmouth	Agkistrodon piscivorus leucostoma *
Timber Rattlesnake	Crotalus horridus *
Eastern Massasauga	Sistrurus catenatus *

#### **Section 885.45 Use of Boas, Pythons and Anacondas**

- a) Any person using *a boa, python or anaconda that is not native to the United States*, at strictly educational events with no commercialization, sponsored by a school herpetological society, museum, zoo or nature center, *must maintain control or physical possession* of that species *at all times*. [510 ILCS 68/15-15] These events include, but are not limited to, the Chicago Herpetological Society's Reptile Fest, Wildlife Discovery Center's Reptile Rampage, Central Illinois Herpetological Society's Reptile Fair and Midwest Museum of Natural History's Rockin for the Reptiles.
- b) In strictly educational events as described in subsection (a), the owner or affiliated agent in control of the boa, python or anaconda shall ensure any contact with the snakes will be supervised and conducted in a manner that results in no physical harm to a member of the public.
- c) In licensed pet stores where someone may wish to handle the boa, python or anaconda prior to purchase, or for other reasons, handling shall be supervised and conducted by the owner or affiliated agent in a manner that results in no physical harm to a member of the public while interacting with the snakes.

#### **Section 885.50 Herptile Scientific Collection Permit Application**

- a) Any person who wishes to do research on, take or salvage non-listed Illinois herptiles must obtain and possess a valid Herptile Scientific Collection Permit (HSCP) from the Department. The HSCP will permit, for strictly scientific purposes, the capture, marking, handling, banding or collection (including hide, skin, bones, teeth, claws, nest, eggs or young) of any of the herptiles not protected under federal law or the Illinois Endangered Species Protection Act [520 ILCS 10], but now protected under the Herptiles-Herps Act. Any collections made

must be for permanent donation to bonafide public or state scientific, educational or zoological institutions. There is no fee for this permit.

- b) To be eligible for an HSCP for scientific research or salvage, the applicant must:
  - 1) be at least 18 years of age;
  - 2) be engaged in scientific research, which may include, but is not necessarily limited to, research sponsored by universities, colleges or scientific institutions; and
  - 3) have public or state scientific, educational or zoological institutions available that will take any voucher herptiles that are collected.
- c) To be eligible for an HSCP for salvage and subsequent rehabilitation of crippled herptiles, the applicant must:
  - 1) be at least 18 years of age;
  - 2) have held a salvage permit the previous year or submit a reference statement from a licensed veterinarian, zoological curator, conservation police officer or an IDNR wildlife resources, natural heritage or fisheries biologist, as appropriate, stating that the applicant has experience in treating and handling wild herptiles and has facilities available to treat, care for and produce self-dependent herptiles for release to the wild; and
  - 3) have public or state scientific, educational or zoological institutions available that will take voucher and/or permanently disabled herptiles.
- d) Application for an HSCP shall be made on forms provided by the Department. Information items requested on application forms will include, but are not limited to: name, address, phone number, list of herptile species to be requested for that permit. These forms may be submitted via email at [DNR.HerpPermit@illinois.gov](mailto:DNR.HerpPermit@illinois.gov).
- e) HSCPs may be issued by the Department provided the applicant has met the eligibility requirements of this Section and the application form has been completed.
- f) Collecting on Department-owned, -managed and -leased properties, including but not limited to, collecting in State Parks or Conservation Areas, Nature Preserves or Land and Water Reserves may require additional permits, pursuant to Section 6 of the State Parks Act [20 ILCS 835], Section 23 of the Illinois Natural Areas

Preservation Act [525 ILCS 30], and 17 Ill. Adm. Code 110.70, 4000.570, 4000.580 and 4010.260.

- g) Final judgment of applications will be at the sole discretion of the Department. Permits may be denied for previous herptile-related violations of Scientific Permits (see 515 ILCS 5/20-100, 520 ILCS 5/3.22 and 17 Ill. Adm. Code 520). Other grounds for denial of permits include, but are not limited to: interfering with or obstructing an ongoing investigation, illegal activity involving any herptile-related violations, and misleading or false statements made to the Department or any of its employees.

#### **Section 885.60 Herptile Scientific Collection Permit Provisions**

- a) Full-time employees of state or federal conservation agencies shall be issued an HSCP at no charge for the term of their employment, as long as that person continues to submit, by January 31 of each year, an annual report of the past year's activities as defined in Section 885.70.
- b) The HSCP is valid for only the approved type of research and/or collection of a voucher herptile stated on the permit. Under no circumstances shall an HSCP be used in lieu of sport or commercial licenses. HSCPs exempt holders from herptile possession limits for strictly research only, whereas sport fishing licenses do have personal herptile possession limits and Herpetoculture Permits (see Sections 885.80, 885.90 and 885.100) exempt holders from herptile possession limits for personal or commercial purposes only.
- c) The permittee's method of taking herptiles must be approved by the Department. All devices used for taking, which are left unattended, must have the permittee's name, address and Scientific Permit number visible on them.
- d) Taking and/or salvage of herptiles shall be performed by or under the direct supervision of the permittee. The permittee shall disclose in the permit application the name of any other person who will assist the permittee. The permittee must be present when any person named in the application is involved in the actual taking of herptiles.
- e) Taking and/or collection of a voucher herptile is only allowed in areas designated on the permit.
- f) Taking and/or collection of a voucher herptile on private properties requires oral or written landowner's or landowner designee's permission. This permit does not allow the privilege of trespass.

- g) Taking and/or collection of a voucher herptile on Department-owned or -managed lands, including, but not limited to, collection in State Parks, Conservation Areas, Nature Preserves or Land and Water Reserves, is not permitted without additional permits, pursuant to the State Parks Act, Illinois Natural Areas Preservation Act and 17 Ill. Adm. Code 110.70, 4000.570, 4000.580 and 4010.260.
- h) The HSCP must be carried on the person at all times when taking specimens and be presented, upon request, to Department or law enforcement personnel.
- i) Herptiles taken and rehabilitated shall be released to the wild here originally captured or shall be permanently donated to a public or state scientific educational or zoological institution. Any proposed return of a herptile taken under an HSCP to the wild of Illinois must first be pre-approved in writing by the Department. Return of a herptile to the wild of Illinois without written approval by the Department will constitute a violation of this Part.
- j) The permittee is responsible for the taking activities under the permit and for submitting the annual report required by Section 885.70. The permittee must maintain a record of all specimens taken for no less than 2 years and shall present that record, upon request, to Department or law enforcement personnel.
- k) An HSCP does not release the permittee from other provisions under the Act, nor from federal or other State statutes and does not supersede federal permits.
- l) No person shall transfer a permit issued under this Section to another person.

#### **Section 885.70 Herptile Scientific Collection Permit Reports and Renewal**

- a) By January 31 annually, the permit holder shall submit to the Department an annual report, either in hardcopy or online, on forms provided by the Department. Failure to provide this report by the due date will result in a violation of this Part and denial of subsequent renewal requests by the permittee for a period of not less than one year.
- b) The permittee shall also provide the Department one copy of all written reports resulting from the permitted activities, in a format specified by the Department, including, but not limited to, reports, technical papers or technical notes. Permits will be renewed only after copies of the annual report and all written reports have been received by the Department. Permittees are required to update, when submitting the annual report, any applicable personal or contact information.

**Section 885.80 Herpetoculture Permit Requirements, Application and Fees**

- a) A Herpetoculture Permit is required of any persons wishing to:
  - 1) be exempt from his or her possession limits for non-listed native herptile taxa, regardless of whether the permit holder only possesses, or also breeds or commercializes;
  - 2) commercialize any non-listed native herptile taxa that have not originated from the wild in Illinois;
  - 3) breed (either intentionally or unintentionally) any non-listed native herptile taxa.
- b) Residents seeking to obtain a Herpetoculture Permit must submit an application form, provided by the Department, along with a nonrefundable annual fee of \$50. Information items requested on application forms will include, but are not limited to: name, address, phone number, list of herptile species to be requested for that permit. These forms may be submitted via email at [DNR.HerpPermit@illinois.gov](mailto:DNR.HerpPermit@illinois.gov). The Department will review and act on these permit requests within 60 days after receipt of the request. Residents applying for renewal of their permit must submit an application, along with annual reports for the preceding year's activities and a nonrefundable fee of \$50. Hardcopy applications may be mailed to IDNR, Herptile Permits, One Natural Resources Way, Springfield IL 62702.
- c) Nonresidents seeking to obtain a limited entry Herpetoculture Permit to sell or offer for sale any non-listed native herptile taxa that have not originated from the wild in Illinois must submit an application, provided by the Department, along with a nonrefundable fee of \$25. This permit shall be valid for a specified period that does not exceed 15 consecutive days.
- d) Applicants must be at least 18 years of age. All portions of the permit application must be completed in full and accompanied by the nonrefundable fee. Incomplete applications will be rejected. All non-listed native herptile taxa the applicant wishes to work with or commercialize must be listed on the permit application form.
- e) No Herpetoculture Permit will be issued for any special use herptile taxa. Special use herptile taxa are subject to permitting requirements of Section 885.120.
- f) Indigenous herptile taxa collected from the wild in this State, or any resulting offspring, may not be bred or commercialized, including any lineages of wild-

caught Illinois herptiles, unless otherwise authorized by the Department, in writing, for research or recovery purposes.

- g) Release of any propagated indigenous herptile is prohibited unless authorized by the Department in writing.
- h) Issuance, modification or denial of any and all permits shall be at the sole discretion of the Department. The Department's action shall be based on such considerations as completeness of the application, the applicant's history, if any, of violations of the Act or this Part, etc. Additionally, permits may be denied for previous herptile-related violations of aquatic life dealers licenses and aquaculture permits (see 515 ILCS 5/20-70, 20-90 and 20-105 and 17 Ill. Adm. Code 870 and 880). Other grounds for denial of permits include, but are not limited to: interfering with or obstructing an ongoing investigation, illegal activity involving any herptile-related violations, and misleading or false statements made to the Department or any of its employees.

#### **Section 885.90 Herpetoculture Permit Provisions**

- a) Additions of native herptile species to Herpetoculture Permits must be approved by the Department prior to acquisition of the species and any changes or reductions in native herptile species identified on the permit must be reported to the Department in writing no later than the first business day after the change or reduction occurs.
- b) Herpetoculture Permit holders must have in possession proof of origin of the native herptiles that are being sold or offered for sale. This can be original receipts from when the permit holder acquired the specimens, along with photo documentation of subsequent hatching eggs and/or hatchlings. Documentation must be presented, upon request, to any authorized officer or agent of the Department or local, state or federal law enforcement officer.
- c) Native herptile species held under a Herpetoculture Permit shall be maintained in facilities that meet the standards of Section 885.160.
- d) Paper receipts/bills of sale must be issued for each sale of native herptile species. Failure to issue paper receipts/bills of sale or issuance of incomplete paper receipts/bills of sale shall constitute a violation of this Part. Receipts/bills of sale shall include:
  - 1) name, address, phone number and Department Herpetoculture Permit number of the seller in the upper left hand corner;

- 2) name, address and phone number of the buyer;
- 3) date of transaction;
- 4) quantities and species of each native herptile sold.
- e) Any sale of a native herptile to a nonresident shall be documented by a receipt/bill of sale as described in subsection (d) to verify, when the herptile is exiting the State, that it was legally obtained.
- f) Permits must be in the possession of the holder or his or her agent (the agent must be disclosed in the permit application) when engaged in activities involving native herptile species and must be presented, upon request, to any authorized officer or agent of the Department or any local, state or federal law enforcement officer.
- g) No person shall transfer a Herpetoculture Permit to another person.
- h) The authorization on the face of a permit that allows specific activities (such as sale, possession, etc.), specifies numbers of native herptile species, or otherwise specifically limits the permit are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.
- i) All records of permit holder sales and purchases must be kept for a minimum of 2 years from the date of disposition of the herptile.

#### **Section 885.100 Herpetoculture Permit Reporting and Renewal**

- a) Resident permit holders shall submit a report by January 31 of each year on forms provided by the Department that summarizes activities conducted under the permit during the preceding calendar year. Failure to submit this annual report by the due date will constitute a violation of this Part and may result in denial of subsequent renewal requests.
- b) Any permit holder approved to sell or offer to sell non-listed native herptiles shall present copies of receipts/bills of sale to any agent of the Department or authorized local, state or federal law enforcement officer upon request. Failure to present copies of receipts/bills of sale will constitute a violation of this Part.
- c) Resident permit holders applying for renewal of the Herpetoculture Permit shall do so by January 31 of each year and shall submit the nonrefundable fee (see Section 885.80), along with the annual report.



- d) Nonresident Limited Entry Herpetoculture Permit holders shall submit a report within 30 days after the expiration of the permit, on forms provided by the Department, along with the copies of receipts/bills of sale. Failure to provide to the Department the report and copies will constitute a violation of this Part.

#### **Section 885.110 Medically Significant Rear-fanged Colubridae**

- a) The following 15 medically significant colubrid genera are subject to this Section: *Alsophis*, *Boiga*, *Conophis*, *Hydrodynastes*, *Macropisthodon*, *Malpolon*, *Oligodon*, *Phalotris*, *Philodryas*, *Psammophis*, *Rhamphiophis*, *Thrasops*, *Tomodon*, *Waglerophis* and *Xenodon* [510 ILCS 68/10-5].
- b) Except for boomslangs (*Dispholidus*), twig snakes (*Thelotornis*), keelbacks (*Rhabdophis*), brown tree snake (*Boiga irregularis*), and Lichtenstein's green racer (*Philodryas olfersii*), all other medically significant species within the genera listed in subsection (a) may be kept with a Herptile Special Use Permit and be exempt from the required hours of experience needed (see Section 10-15 of the Act) and liability insurance requirement (see Section 60-5 of the Act). Annual permit fee, reporting requirements, prohibition on breeding (intentional or unintentional), and required educational programs remain in effect. The facilities to be used to house rear-fanged colubrids must still meet the standards of Article 10 of the Act (Venomous Reptiles) and Section 885.220. Experience with rear-fanged colubrids will not count towards experience with other venomous species.

#### **Section 885.120 Resident Herptile Special Use Permit Requirements, Application and Fee**

- a) A Herptile Special Use Permit is required of any resident who commits to conducting at least 6 educational programs per calendar years, for which he or she is seeking to possess any venomous reptile or other special use herptile species, including, but not limited to, any crocodilian, Komodo dragon or crocodile monitor lizard, pursuant to Articles 10, 20 (Crocodilians) and 25 (Monitor Lizards) of the Act, unless exempted under Section 110-5 of the Act. An application for a Herptile Special Use Permit must file an application with the Department on a form provided by the Department. Information items requested on application forms will include, but are not limited to: name, address, phone number, list of herptile species to be requested for that permit. These forms may be submitted via email at [DNR.HerpPermit@illinois.gov](mailto:DNR.HerpPermit@illinois.gov), or hardcopy applications may be mailed to IDNR, Herptile Permits, One Natural Resources Way, Springfield IL 62702. A period of 60 days should be allowed for the Department to receive and approve permits. Unless otherwise exempted by the Department, prior to any person obtaining a Herptile Special Use Permit, the following criteria must be met:

- 1) Applicants must be at least 18 years of age and complete all portions of the permit application form. Incomplete applications will be rejected.
  - 2) Each applicant must submit payment for each application. The nonrefundable annual fee for a residential Herptile Special Use Permit shall be \$250 per permittee.
  - 3) The requirements of Article 60 of the Act (Herptile Special Use Requirements) must be met.
  - 4) The venomous or special use herptile species applied for must be included in the approved list in Section 10-20, 20-5 or 25-5 of the Act.
  - 5) Unless otherwise exempted, proof of the liability insurance or surety bond required by Section 60-5 of the Act shall be provided and maintained during the term of the permit.
- b) In addition to completing a permit application form provided by the Department, the applicant must submit:
- 1) an outline of the educational program to be presented. Every educational program shall include information on the status of the special use herptiles being displayed or utilized and an explanation of the legal acquisition of the specimens;
  - 2) a list of all similar programs conducted by the applicant during the 2 years preceding the application for a Herptile Special Use Permit, including estimates of the number of persons attending each presentation;
  - 3) a statement as to how the possession of the specimens or products of special use herptiles by the applicant will enhance the welfare of the species involved;
  - 4) a description, including photographs, of the facilities intended for use in holding the special use herptile species; and
  - 5) a verified statement that any special use herptiles will be obtained legally.
- c) A permit for special use herptiles may be issued if the applicant meets the following criteria:

- 1) unless exempted (see Section 885.110(b)), the credentials and required hours of experience of the applicant indicate training and experience that will assure the applicant has the ability to conduct the proposed programs;
  - 2) the program promotes the survival of the special use herptile species and its natural habitat;
  - 3) the program promotes understanding of the ecological needs of natural populations of the species;
  - 4) the program promotes understanding of the role of the special use herptile species in its natural environment;
  - 5) the applicable nonrefundable fee has been submitted (see subsection (a)(2));
  - 6) unless otherwise exempted, the permit holder has obtained the amount of liability insurance applicable to the number of special use herptiles (see Section 885.150(b)(3));
  - 7) the facilities to be used to house special use herptile species are shown to meet the standards defined in Section 885.160; and
  - 8) a pre-inspection of the proposed facilities has been conducted and the Department has approved the facility.
- d) Issuance, modification or denial of a permit shall be at the sole discretion of the Department. Permits may be denied for previous herptile-related violations of the Illinois Endangered Species Protection Act or 17 Ill. Adm. Code 1070 (Possession of Specimens or Products of Endangered or Threatened Species). Other grounds for denial of permits include, but are not limited to: interfering with or obstructing an ongoing investigation, illegal activity involving any herptile-related violations, and misleading or false statements made to the Department or any of its employees.

#### **Section 885.130 Resident Herptile Special Use Permit Provisions**

- a) Special use herptiles for which a Herptile Special Use Permit has been issued will not count against an individual's possession limits under the Herpetoculture Permit.

- b) It shall be unlawful for any person to propagate or attempt to propagate any special use herptile, either intentionally or unintentionally, without a Herptile Special Use Permit.
- c) It shall be unlawful for any person to sell or offer for sale any special use herptile without a Herptile Special Use Permit.
- d) Additions of specimens to Herptile Special Use Permits must be approved prior to acquisition of the specimens. Any changes in numbers of specimens possessed must be reported to the Department in writing no later than the first business day after that change occurs.
- e) A minimum of 6 documented educational programs shall be required of each permittee per calendar year.
- f) The special use herptile shall be maintained in a facility that meets the requirements of Sections 10-25, 20-15 and 25-15 of the Act and Section 885.160 of this Part.
- g) Educational program use of special use herptiles shall be in accordance with Sections 10-30, 20-20 and 25-20 of the Act.
- h) Transport of special use herptiles shall be in accordance with Sections 10-35, 20-25 and 25-25 of the Act.
- i) All special use herptiles must be pit-tagged or microchipped to individually identify them unless the specimen is too small to be tagged or chipped. In that case, a color photograph documenting pattern aberrancies unique to that specimen may be accepted until the herptile is larger, at the sole discretion of the Department.
- j) The Herptile Special Use Permit, or a valid copy of the permit, must be in the possession of the holder or his or her agent (the agent must be disclosed in the permit application) when engaged in activities involving special use herptile species and presented upon demand to any authorized officer or agent of the Department or authorized local, state or federal law enforcement officer.
- k) No person shall transfer a Herptile Special Use Permit to another person.
- l) The authorization on the face of a permit that allows specific activities (such as taking, possession, etc.), specifies the number or quantity of special use herptile specimens or products, or otherwise specifically limits the permit are to be strictly

construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.

#### **Section 885.140 Resident Herptile Special Use Permit Reporting Requirements**

- a) A person who possesses any special use herptile must maintain records pertaining to the acquisition, possession and disposition of the special use herptile.
- b) These records shall be maintained for a minimum of 2 years after the date the special use herptile is no longer in possession of the permit holder. All records are subject to inspection by any authorized officer or agent of the Department or authorized local, state or federal law enforcement officer.
- c) All pit-tag or microchip numbers, and any identifying photographs, are to be maintained as other pertinent records, unless otherwise provided.
- d) Holders of Herptile Special Use Permits shall submit a report by January 31 of each year on forms provided by the Department that summarizes activities conducted under the permit during the preceding calendar year. Failure to submit this annual report by the due date will constitute a violation of this Part.
- e) Permit holders may transfer special use herptiles to other permit holders with written approval by the Department. The transferring permit holder must include copies of receipts/bills of sale with the annual report. Failure to provide copies of receipts/bills of sale will constitute a violation of this Part.
- f) Permit holders seeking to renew their Herptile Special Use Permits must submit the renewal application by January 31 of each year and must submit the nonrefundable permit fee (see Section 885.120(a)(2)), liability insurance renewal (if applicable), and proof of educational programs, along with the annual reports.
- g) A permit holder shall notify the Department in writing of any change in his or her name or address or any change in his or her operations within 10 days after making the change.

#### **Section 885.150 Limited Entry (Nonresident) Special Use Herptile Permits; Fees, Reporting and Renewal**

- a) Nonresidents seeking to transport, ship or display venomous or other special use herptiles through or within the State must apply for a Limited Entry Special Use Herptile Permit. The permit shall be valid for a specified period that does not exceed 30 consecutive days. The nonrefundable fee for the Limited Entry Permit is \$25.

- b) *The Department may issue a Limited Entry Permit to an applicant who:*
  - 1) *is not a resident of this State;*
  - 2) *complies with the requirements of the Act and this Part;*
  - 3) *provides proof to the Department that he or she shall, during the permit term, maintain sufficient liability insurance coverage of \$100,000 per special use herptile, up to a maximum of \$1,000,000;*
  - 4) *pays to the Department, along with each Limited Entry Permit, a nonrefundable fee of \$25;*
  - 5) *uses the special use herptile for an activity authorized in the Limited Entry Permit [510 ILCS 68/65-5]; and*
  - 6) *meets the standards defined in Article 10 of the Act and Section 885.160 of this Part to house special use herptiles.*
- c) *In addition to completing a Limited Entry Permit application form provided by the Department, the applicant must submit:*
  - 1) *a description, including photographs, of the facilities intended for use in holding the special use herptiles while in Illinois;*
  - 2) *the name and address of any venues where the special use herptiles will appear;*
  - 3) *the dates of entry and exit from the State;*
  - 4) *a complete inventory of special use herptiles entering the State with the applicant; and*
  - 5) *a verified statement that any specimens to be possessed while in Illinois have been obtained legally.*
- d) *Limited Entry Permit holders must submit a report to the Department within 30 days after the expiration of the permit, on forms provided by the Department. Failure to provide required reports can result in denial of subsequent permit requests.*

- e) Issuance, modification or denial of any Limited Entry Permit shall be at the sole discretion of the Department. Permits may be denied for previous herptile-related violations of the Illinois Endangered Species Protection Act or 17 Ill. Adm. Code 1070 (Possession of Specimens or Products of Endangered or Threatened Species). Other grounds for denial of permits include, but are not limited to: interfering with or obstructing an ongoing investigation, illegal activity involving any herptile-related violations, or misleading or false statements made to the Department or any of its employees.

### **Section 885.160 Herptile Facilities and Welfare Standards**

- a) **Facility Standards**

All Herpetoculture and Herptile Special Use Permit holders shall keep herptiles in a secure, escape-proof enclosure that is large enough to allow the herptiles reasonable movement. The herptiles shall be supplied clean water, cover and a clean environment and shall be fed regularly.

  - 1) Enclosures must be relatively free of feces and multiple shed skins. Non-eaten food items must be removed. Each permit holder must demonstrate that his or her premises and any facilities used in his or her operation comply with this Section.
  - 2) The facility must be constructed of materials of sufficient strength and design to prohibit escape, and enclosures must be of dimensions that allow the intended species to move about freely. Facilities shall be structurally sound and maintained in good repair to protect herptiles from damage by unauthorized persons or from other causes. Electric power, if required to comply with other provisions of this Section, shall be available on the premises.
  - 3) Temperatures in indoor facilities shall be regulated by heating or cooling to simulate conditions of the herptile's natural environment. Indoor facilities shall have lighting, by natural or artificial means or both, of quality, intensity, color, temperature, distribution and duration appropriate for the species.
  - 4) Outdoor facilities shall be sited and constructed to simulate the natural environment of the herptile with regard to humidity, moisture, temperature, lighting, cover, clean water, and all other factors necessary for survival and growth.
- b) **Inspection of Facilities**

To assure adequacy of facilities when a permit application is being reviewed, or upon receipt of a complaint, the applicant/permit holder shall make the premises, facilities and equipment available at any reasonable hour for the purpose of ascertaining compliance with the Act and this Part. If the applicant's/permit holder's premises, facilities or equipment do not meet the requirements of the Act and this Part, the applicant/permit holder will be advised of deficiencies and the corrective measures that must be taken to bring the premises, facilities and equipment into compliance. The permit holder will be given a deadline by which prescribed corrective measures must be completed.

#### **Section 885.170 Suspension and Revocation Procedures**

- a) Failure to comply with any provision of this Part or the Act, or providing false information to obtain any permit under the Act, may result in suspension or revocation of the permit. Additional causes for suspension or revocation include, but are not limited to:
  - 1) The permit holder fails to comply with the provisions and reporting requirements of the permit;
  - 2) Annual reports are not submitted by the stated deadline, are incomplete or contain false information;
  - 3) The permit holder fails to comply with herptile facility and welfare standards of the Act and this Part;
  - 4) Violation of State or federal laws.
- b) Any person whose permit has been revoked or privileges suspended shall not be eligible to apply for a new permit in his or her name or in any other name for a period of one year from the ending date of the revocation or suspension.
- c) Any person who has been or is an officer, agent or employee of a permittee whose permit has been revoked and who was responsible for or participated in the violation upon which the revocation was based shall not receive a permit within the period during which the revocation is in effect.
- d) Failure to comply with the provisions of the Herptile Scientific Collection Permit may result in suspension of privileges and/or revocation of that permit. Any suspension of the HSCP will be for a period of not less than one year.



- e) Failure to comply with the provisions of the Herpetoculture Permit may result in suspension of privileges and/or revocation of that permit. Any suspension of the permit will be for a period of one to 5 years from the date of violation.
- f) Any person who has been convicted of a violation of any provision of the Illinois Endangered Species Protection Act shall not be eligible to apply for a permit under this Part in his or her own name or in any other name for a period of one to 5 years from the date of conviction.
- g) Suspension and revocation of Herptile Special Use Permits are determined pursuant to Article 70 of the Act.
- h) Upon suspension or revocation of any herptile-related permits, previously permitted herptiles owned by the permittee are immediately and permanently forfeited to the Department.
- i) Unless already provided in Article 70 and Sections 105-40 and 105-70 of the Act, suspension and revocation procedures, the rights of permittees to notice and hearing, and the procedures governing hearings are set forth in 17 Ill. Adm. Code 2530.